

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

JUN 22 2009

Total Number of Pages in this Submission

	Application No.	09/966,040
	Filed Date	09/28/2001
	First Named Inventor	Max L. Musser
	Group Art	2193
	Examiner Name	Jue S. Wang
	Attorney Docket Number	01118

TRADEMARKS

Enclosures (check all that apply)

- Fee Transmittal Form
 Fee Attached
 Amendment / Response
 After Final
 Affidavits / Declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Response to Missing Parts under 37 CFR 1.52 or 1.53
 Response to Missing Parts/Incomplete Application

- Interview Summary
 Drawing(s) & Letter to Official Draftsman
 Licensing-related Papers
 Petition to the Commissioner
 Petition to Convert a Provisional Application
 Power of Attorney and Change of Correspondence Address Indication Form
 Terminal Disclaimer
 "Fee Address" Indication Form

- After Allowance Communication to Group
 Appeal Communications to Board of Appeals and Interferences
 Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Return Receipt Postcard
 CD, Number of CDs
 Additional enclosure(s) (please identify below)

Remarks: Summary of telephone interview comprising two telephone conversations held between Examiner Wang and undersigned on June 15, 2009

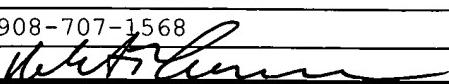
CORRESPONDENCE ADDRESS Customer Number or Bar Code Label

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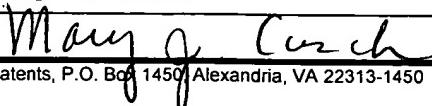
NAME	
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COUNTRY	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Robert T. Canavan	Reg. #	37592
TELEPHONE	908-707-1568		
SIGNATURE		DATE	06/17/2009

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 06/17/2009

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant(s): Max L. Musser et al.
Attorney Docket No.: 01118
Application No.: 09/966,040
Filing Date: 09/28/2001
Examiner Name: Jue S. Wang
Group Art Unit: 2193
Title: System and Method for Automated Software Distribution in a Fiber Optic Network

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTERVIEW SUMMARY

This is a summary of a telephone interview comprising two telephone conversations held between Examiner Wang and the undersigned on June 15, 2009. The undersigned wishes thank the Examiner for her courtesy extended during the interviews.

The Examiner initiated the interview to discuss issues regarding claims 1 and 8. As to claim 1, the undersigned agreed that there is typographical error in paragraph (e) as presented. The Examiner agreed to correct the error in an Examiner's amendment adding the words "is a" after "second software."

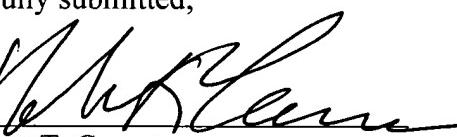
Regarding claim 8, the Examiner pointed out that the final three steps would be performed whether or not it is determined that there is a further ONU. That being the case, it was agreed that the paragraph reading "if not, then:" would be deleted, and the final three

paragraphs would be labeled with the letters (d), (e) and (f) to indicate that they are part of the claimed method.

The undersigned submits that the proposed Examiner's Amendment will place the case in condition for allowance, and requests that the Examiner issue a timely Notice of Allowance.

Respectfully submitted,

By


Robert T. Canavan
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Date: 6/17/2009